



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0611; FRL-9398-5]

### Cancellation of Pesticides for Non-Payment of Year 2013 Registration Maintenance Fees

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Since the amendments of October 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15, 2013, has gone unpaid for 220 registrations. Section 4(i)(5)(G) of FIFRA provides that the EPA Administrator may cancel these registrations by order and without a hearing; orders to cancel all 220 of these registrations have been issued within the past few days.

**DATES:** A cancellation is effective on the date the cancellation order is signed.

**FOR FURTHER INFORMATION CONTACT:** Michael Yanchulis, Information Technology and Resources Management Division (7502P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-0237; email address:

*yanchulis.michael@epa.gov*.

### SUPPLEMENTARY INFORMATION:

#### I. General Information

##### A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you

have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How Can I Get Copies of this Document and Other Related Information?*

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2013-0611. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703)305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

## **II. Background**

Section 4(i)(5) of FIFRA, as amended in October 1988 (Public Law 100-532), December 1991 (Public Law 102-237), and again in August 1996 (Public Law 104-170), requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under FIFRA section 3 as well as those granted under FIFRA section 24(c) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

The Food, Agriculture, Conservation, and Trade Act Amendments of 1991, Public Law 102-237, amended FIFRA to allow the EPA Administrator to reduce or waive

maintenance fees for minor agricultural use pesticides when she determines that the fee would be likely to cause significant impact on the availability of the pesticide for the use. The Agency has waived the fee for 226 minor agricultural use registrations at the request of the registrants.

In fiscal year 2013, maintenance fees were collected in one billing cycle. The Pesticide Registration Improvement Renewal Act (PRIRA) was passed by Congress in October 2007. PRIRA authorized the Agency to collect \$27.8 million dollars in maintenance fees in fiscal year 2012. In late 2012, all holders of either FIFRA section 3 registrations or FIFRA section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Most responses were received by the statutory deadline of January 15. A notice of intent to cancel was sent in March, 2013, to companies who did not respond and to companies who responded, but paid for less than all of their registrations. Since mailing the notices of intent to cancel, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered.

Maintenance fees have been paid for 15,804 FIFRA section 3 registrations, or about 97% of the registrations on file in December 2012. Fees have been paid for 1,941 FIFRA section 24(c) registrations, or about 86% of the total on file in December 2012. Cancellations for non-payment of the maintenance fee affect 196 FIFRA section 3 registrations and 24 FIFRA section 24(c) registrations.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until January 15, 2014, 1 year after the date on which the fee was due. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold, or used legally until they are exhausted. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order.

The exceptions to these general rules are cases where more stringent restrictions on sale, distribution, or use of the products have already been imposed, through special reviews or other Agency actions. These general provisions for disposition of stocks should serve in most cases to cushion the impact of these cancellations while the market adjusts.

### **III. Listing of Registrations Canceled for Non-Payment**

Table 1 of this unit lists all of the FIFRA section 24(c) registrations, and Table 2 of this unit lists all of the FIFRA section 3 registrations which were canceled for non-payment of the 2013 maintenance fee. These registrations have been canceled by order and without hearing. Cancellation orders were sent to affected registrants via certified mail in the past several days. The Agency is unlikely to rescind cancellation of any particular registration unless the cancellation resulted from Agency error.

**Table 1.—FIFRA Section 24(c) Registrations Cancelled for Non-Payment of 2013 Maintenance Fee**

SLN No.	Product Name
AR-08-0005	Superwham! (alternate Name for Wham! EZ)
AR-08-0006	Riceshot
AR-08-0007	Ricepro

AR-08-0008	Duet
AR-08-0009	Superwham! (alternate Name for Wham! EZ)
AR-08-0013	Ricebeaux
AR-12-0001	Ricebeaux Herbicide
AR-12-0002	Ricebeaux
AR-12-0003	Ricepro
AR-12-0006	Ricebeaux
AR-12-0007	Wham! EZ
CA-08-0007	Plantshield HC Biological Fungicide
CA-11-0003	Temik Brand 15G Aldicarb Pesticide
CA-87-0038	Griffin Direx 4L Herbicide
CA-97-0022	Elite 45 DF Foliar Fungicide
ID-03-0015	Pyristar Microencapsulated Insecticide Seed Treatment
ID-07-0007	Honcho Plus
MN-07-0006	Chem Sect Brand Chem Fish Synergized
MS-05-0011	Meychem Glyphosate Herbicide (ABN Wise Up Plus Glyphosate Herbicide)
MT-12-0001	Sun Pac Mildewcide
OH-02-0004	Slimicide C-74
OR-05-0013	Honcho Plus Herbicide
TX-10-0020	Kaput Combo Bait Mini Blocks for Rodents & Fleas
WA-07-0010	Pear Wrap Treated with Ethoxyquin

**Table 2.—FIFRA Section 3 Registrations Cancelled for Non-Payment of 2013 Maintenance Fee**

Registration No.	Product Name
000577-00541	Cuprinol Wood Preservative Green No. 10
000577-00549	Pro-Line 1080-H Hard Vinyl Antifouling Paint
000577-00560	Sherwin-Williams Seaguard Hard Vinyl Anti-Foulant
000655-00802	Prentox Larva-Lur contains Propoxur
000675-00019	Bulk Amphyl Brand Disinfectant
000675-00043	Amphyl
000706-00105	Multi-Use Insecticide Fogger
000777-00068	Lysol Brand Pre-Moistened Touch-Ups Disinfecting Cleaning Wipes
000829-00268	SA-50 Brand Atrazine 4L Herbicide
001043-00115	Process Vesphene II ST
001043-00121	GW002 Tertiary Blend
001124-00057	Brillo Pinosan

001769-00188	Acti-Cil Weed Killer
001769-00380	OWT-908 Microbiocide
002382-00124	Preventic L.A. IGR
002382-00132	Flypel
002382-00155	Permethrin-Pyriproxyfen Residual Shampoo for Dogs #1
002596-00136	Hartz 2 In 1 Flea & Tick Spray for Cats and Dogs
002686-00017	Sodium Hypochlorite 10%
002749-00542	Trifluralin 4 E.C. Herbicide
002749-00546	Aceto Clethodim 2 EC
002749-00547	Butoxone 200 Herbicide
002749-00548	Butoxone SB
002749-00549	Butoxone Herbicide
002749-00550	Butoxone 7500 Herbicide
003090-00224	Sanitized Brand TH 22-27 DM
003377-00020	Bromine Chloride Disinfectant
004091-00013	Marquat 72 MUP
004462-00058	Q-Cide
005473-00005	Tri-San Sanitizer
007138-00015	Carpetmaker X-X-X with 0.85 Pendimethalin
007138-00016	Carpetmaker with 1.30% Pendimethalin Pre-Emergence Crabgrass and Broad
007138-00024	XX-X-X Lawn Food with 0.069% Bifenthrin Insecticide
007405-00051	Chemi-Cap Hosp-I-Septic G Surface Disinfectant Deodorant
007546-00006	Shurguard
008284-00006	Bissell Disinfectant Spray
008284-00007	Bissell Disinfectant Bathroom Cleaner
010118-00001	Whizzer Mat Cleaner & Disinfectant
010308-00031	Deckmate Mosquito Repellent
010330-00020	Carbon Dioxide
010707-00003	Magnacide 407
010707-00025	Magnacide G100
010707-00026	Magnacide G 100 W
010707-00029	Magnacide G113
010707-00049	X-Cide 380 Industrial Bactericide
010707-00052	X-Cide 5009 Industrial Bactericide
010772-00005	Sno Bol Toilet Bowl Cleaner
010807-00443	Time-Mist Metered Insecticide II
010807-00445	Purge After Hours Plus Ds
011623-00044	Total Release Fogger III
011623-00048	Apollo Contact Insecticide

021165-00062	Pyranha 1-10 SBA Concentrate
033560-00043	Bareground 21
035512-00049	Turf Pride Fertilizer with 2% Sevin Brand Carbaryl Insecticide
035512-00055	Turf Pride Fertilizer with 0.055% Bifenthrin Insecticide
035512-00058	Turf Pride Fertilizer with 0.50% Ronstar
035512-00059	Turf Pride Fertilizer + 0.70% Preemergent Weed Control
036029-00014	Strychnine Alkaloid N.F.
036029-00016	Wilco Pocket Gopher Milo Bait for Hand Baiting
036029-00025	Wilco Gopher Getter Restricted Use Bait
038871-00001	Copper Carbonate - Dry
038871-00002	Copper Carbonate - Wet
039959-00001	A-106
039959-00002	7618
039959-00003	7619
040391-00003	Entech Fog-5
040510-00003	Water Purification Tablets, Iodine 50
041954-00014	JM Cal Hypo-TSP
042177-00009	Olympic Algaecide 20
042177-00077	Ez-Clor Litho Shock
043813-00023	Evipol 360SL
043813-00024	Evipol Technical
043813-00029	Xamox Technical
043813-00030	Xamox 3OL
043813-00031	Xamox 10TK
043813-00036	Xamox 100 SL
043889-00001	Capsyn
045987-00001	Doo-Not Dog & Cat Repellent
046043-00019	T.I.C.A. Technical Tablets 1"
046043-00021	T.I.C.A. Technical Sticks
046043-00022	Granular S.D.I.C. 56
046043-00028	Sodium Bromide Technical
046043-00031	Suncoast's Pool Algaecide 20
046043-20005	Suncoast Swimming Pool Chlorinating Shock
046620-00001	Requat Antimicrobial 1977 Liquid
046781-00010	Premicide
046923-00010	OBC Copper Complex NH3
048302-00008	TFA - 10 LA
048302-00013	Sea Grand Prix 500-Us Part B Antifouling Paint Component
048520-00011	Phoenix Tiny Tabs

048520-00016	Poly-50 Algaecide
049403-00036	JMAC LP10A
049517-00003	Moore Ag Brand Poly-Foliant V Defoliant-Desiccant
049547-00014	Antibacterial Festival All Purpose Cleaner
051624-20001	AQB-035 Algae Control
051978-00001	Bale Champ
052991-00001	Bedoukian OFM Technical Pheromone
053257-20004	Sodium Hypochlorite Solution 5.25%
053575-00019	Isomate-M 100
053575-00028	Isomate-OMLR
054705-00011	Weed Stopper Hose'em
055364-00007	Control III Elite
056336-00003	Checkmate (R) OFM
056336-00004	Checkmate CM Technical Pheromone
056336-00005	Checkmate CM Hand Applied Dispenser
056336-00008	Surefire Japanese Beetle Trap
056336-00011	Consep SPR3 Codling Moth Pheromone Sprayable
056336-00020	Checkmate PTB-XL
056336-00023	Consep SPR4M Peach Twig Borer Sprayable Bead Pheromone
056362-00003	Towerchlor 12.5
058007-00010	Ultrathon Insect Repellent Wipes
058295-00001	Barnebey & Sutcliffe Type 989 Bacteriostatic Water Filter Media
060063-00039	Myclobutanil 2% Homeowner Fungicide
062498-00001	Pool Pride Granular 62
064014-00009	Harpoon
066617-00001	Island Marketing's Bugchaser Brand Insect Repellent Wristband Strip
066784-00003	Timsen Bar Sanitizer
067517-00014	Disinfectant
067517-00020	Iodine Concentrate 3.5
068109-00001	Sodium Hypochlorite Solution
068329-00017	Alpha 418
068476-00001	Bugg-Less
068543-00037	Bengal Pyrethrins Roach Spray
068543-00039	Bengal Home Insect Killer
069151-00005	Steritech-D
069361-00021	Tebucon 2.9 EW
070305-00001	Para Mothballs
070369-00002	Raycide
071058-00001	Triap 4HF



071532-00027	Lambdastar 1CS-PCO
071532-00030	Esfenvalerate 3.5% EC
071532-00031	Esfenvalerate 3.5% CS-PCO
071661-00001	Surfacine(R) All Purpose Cleaner
071695-00001	CS-100 Acid Anionic Sanitizer
071871-00003	Sterrad Hydrogen Peroxide
072138-00006	Softpine
072138-00008	White Cap 15% Pine Oil Cleaner/Disinfectant
072244-00001	Holiday Fire Ant Killer E. C.
072468-00003	PMC 360
072468-00005	Mold Wipes 360
072675-00001	Sanisorbx
072679-00004	Copper Paint No.2 Green
072956-00002	Sanitizer Product
072977-00002	Axen
073232-00003	Smart-San D2
073354-00001	RRSI Amine 2,4-D
073354-00002	RRSI Dicamba-D
073354-00003	RRSI LV-6
073499-00001	ASAP-AGX
073499-00002	ASAP-AGX-32
073612-00001	Sentry
074062-00002	Winpeace(TM) SF-1
074237-00001	Liquid Toxi Chek Concentrate 8350
074530-00032	Helmquat 3 SL
074530-00049	Helm Metolachlor 8E
074530-00050	Kendo Pro 9.7 CS
074601-00001	Chlorothalonil Technical Fungicide
074802-00002	Bacteriostatic Water Conditioner Model AM1O54AG
075369-00001	CPMCHLOR
075449-00003	Sodium Bichromate Solution 69%
075801-00002	Ateze
075829-00002	H2Pro Clean Start Bottle B
079533-00003	Coleman Skinsmart Insect Repellent Towelettes
080224-00005	Ovocontrol G
080286-00002	Splat PBW 30M-1
080286-00005	Splat GBM
080286-00006	Splat LBAM HD
080286-00008	Splat LBAM LD

080289-00013	Strada XT
080346-00004	MDF-500D Part A
080346-00005	MDF-500D Part B
080656-20001	Genchlor 12.5%
081114-00001	Amp21
081391-00001	Nations AG II, LLC Oxyfluorfen 2 Herbicide
081910-00001	PCMX
082397-00002	Chem-Fish Synergized
082397-00003	Powdered Cube Root
082498-00002	Grandslam 4XS Herbicide
082498-00003	Glyphosate 41% Super Concentrate Herbicide
082498-00004	Glyphosate 2% RTU Herbicide
082534-00003	Oxy 2EC
082542-00028	Solera IVM Herbicide
082691-00002	Stay Clean Additive B
082866-00001	Paraquat 3SL Herbicide
083030-00001	Citrex
083403-00001	Bactiguard Air Filters
083742-00002	Pond Weed Defense
084195-00001	Iobio Bacteria, Slime and Algae Control
085340-00001	Cerro Flow Products
085531-00001	Mavea Maxtra
085905-00005	CFL-3%-Diflubenzuron Feedthrough
086363-00014	KT Propicon 3.6EC
087246-00006	Cliniweave AV Powder
087373-00001	Argite Fipronil 96.5% Technical
088050-00001	Aim-C
088423-00002	DTN 1000 Antimicrobial

#### **IV. Provisions for Disposition of Existing Stocks**

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks until January 15, 2014, 1 year after the date on which the fee was due.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

**List of Subjects**

Environmental protection, Administrative practice and procedure, Pesticides and pests.

Dated: August 29, 2013.

Steven Bradbury,  
*Director, Office of Pesticide Programs.*